

### **REMARKS**

This responds to the Office Action mailed on June 29, 2009.

Claims 1 and 9 are amended, claims 15 and 17 are cancelled, and no claims are added; as a result, claims 1-14 and 16 are now pending in this application.

#### **§ 101 Rejection of the Claims**

Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 15 was cancelled.

#### **Allowable Subject Matter**

Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **§ 103 Rejection of the Claims**

Claims 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 14, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over 'AAPA' (fig.1), in view of Ventura to (US2003/0110273), and further in view of Furukawa to (US2006/0036768).

Independent claims 1 and 9 have been amended to include all limitations of claim 17 that was indicated in the Office Action as containing allowable subject matter. Because claims 1 and 9, as amended, and their respective dependent claims recite patentable subject matter, these claims are patentable and should be allowed. It is respectfully requested that the rejection of claims 1, 9, and their respective dependent claims be withdrawn.

Claims 5, 8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over 'AAPA', Ventura and Furukawa as applied to claims 1 and 9 above, in further in view of Lakshman et al. to (US5,951,651).

Claims 1, 8 and 13 depend on independent claims 1 and 9 that have been amended to include all limitations of claim 17 that was indicated in the Office Action as containing allowable subject matter. It is respectfully requested that the rejection of claims 11, 8 and 13 be withdrawn.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (408) 278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 9/15/09

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15<sup>th</sup> day of September, 2009.

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